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Restaurant Holding, LLC; FAT Brands, Inc.

UNITED STATES DISTRICT COURT
CLARK COUNTY, NEVADA

Frank Schurr, an individual

Plaintiff,

vs.

Twin Restaurant LV-1, LLC dba Twin Peaks, a domestic limited liability company, Twin Restaurant LV-2, LLC dba Twin Peaks, a domestic limited liability company, a foreign corporation; Twin Restaurant Holding, LLC a foreign limited liability company, Fat Brands Inc., a foreign corporation; Roe Distributors I through X, Roe Manufacturers I through X, Roe Business Entities, I through X; and DOE Individuals I through X; Inclusive,

Defendant.

Case No.: 2:22-cv-1759-CDS-DJA

Stipulation and Order to Extend Discovery Deadlines

(Fourth Request)

Pursuant to Federal Rule of Civil Procedure 29(b) and Local Rules IA 6-1, 7-1 and 26-3, the parties hereby submit the following Stipulation and Order to Extend Discovery Deadlines (Third Request) to extend the discovery deadlines and all related case management deadlines, as set forth the order granting the parties' discovery plan (ECF No. 59) for 180 days.

I. Discovery Completed To Date

- a. Plaintiff's Written Disclosures of Witnesses and Documents;
- b. Defendant's Written Disclosures of Witnesses and Documents;
- c. Written Discovery (Request for Production of Documents and Written Interrogatories) to Plaintiff;

- 1 d. Written Discovery (Request for Production of Documents and Written
- 2 Interrogatories) to Defendants.
- 3 e. Additional written discovery (Request for Production of Documents, Request for
- 4 Admission and Written Interrogatories) to Defendants.

5 **II. Discovery Remaining**

- 6 a. Deposition of Plaintiff
- 7 b. Deposition of 30(b)(6) Witness
- 8 c. Deposition of Percipient Witnesses
- 9 d. Deposition of Experts

10 **III. Reasons for Requested Extension**

11 The parties would like an additional 180-days because new parties are joining this case.

12 Previously, the parties extended the discovery deadlines 90 days (ECF No. 58) because on April 21,
13 2023, Plaintiff filed a motion for leave to amend his complaint (ECF No. 34). This motion would
14 add Sysco Las Vegas, Inc., Sysco USA 1, Inc. and Sysco Corporation (the “Sysco Entities”). The
15 Sysco Entities did not appear until October 20, 2023 (ECF No. 65). Two of the Sysco Entities were
16 later dismissed also (ECF No. 64). The parties now wish to add additional parties (National Frozen
17 Foods Corporation and PNW Veg Co, LLC) and Plaintiff will be filing a stipulation soon to add
18 them as defendants. Because of these new parties, the parties wish to extend discovery for a
19 sufficient time to allow for retention of experts and deposition of fact witnesses. The parties have
20 learned that travel may be necessary for the inspection of the object that caused Plaintiff’s injury
21 and it is likely that the new parties will want to conduct written discovery first after joining to better
22 prepare for experts. Thus, the time proposed is not unreasonable.

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1 **IV. Current Dates and Requested Extensions**

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Event	Current Date	Proposed Date
Last Date to Add Parties or Amend Complaint	December 13, 2023	July 26, 2024
Last Date to Disclose Initial Expert Witnesses	December 13, 2023	July 26, 2024
Last Date to Disclose Rebuttal Expert Witnesses	January 12, 2024	August 26, 2024
Close of Discovery	March 29, 2024	September 25, 2024
Dipositive Motions	April 26, 2024	October 25, 2024
Pre-Trial Order	May 24, 2024	November 22, 2024



/s/ *Jonathan C. Pattillo, Esq.*

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Order

IT IS SO ORDERED.

DATED: 11/27/2023

United States Magistrate Judge